

FORM PTO-1390 U.S. Department of Commerce Patent and Trademark Office

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket No.

1570-563

U.S. Application No. (if known)

10/560533
New Application

INTERNATIONAL APPLICATION NO.
PCT/EP2004/006330

INTERNATIONAL FILING DATE
11 June 2004

PRIORITY DATE CLAIMED
13 June 2003

TITLE OF INVENTION
NEW BENZAMIDES AS PPAR-GAMMA MODULATORS

APPLICANT(S) FOR DO/EO/US
Anna FERNÁNDEZ SERRAT et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

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20. <input checked="" type="checkbox"/> Other items or information:					
<input checked="" type="checkbox"/> RO/101 <input type="checkbox"/> RO/105 <input checked="" type="checkbox"/> ISA/210(ISR) <input type="checkbox"/> IB/301 <input type="checkbox"/> IB/304 <input checked="" type="checkbox"/> IB/306 <input checked="" type="checkbox"/> IB/308 <input checked="" type="checkbox"/> IB/332 <input checked="" type="checkbox"/> IPEA/401 <input checked="" type="checkbox"/> IB/409(IPER) <input checked="" type="checkbox"/> IB/416 <input checked="" type="checkbox"/> Published Application WO/2004/110983 A3 <input checked="" type="checkbox"/> ISA/237					
21. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<input checked="" type="checkbox"/> Basic National Fee \$300.00				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee				\$ 200.00	
If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations \$200.00					
23. <input checked="" type="checkbox"/> Search Fee				\$ 400.00	
If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations..... \$500.00					
TOTAL OF 21, 22 AND 23 =					
\$ 900.00					
Additional fee for specification and drawings filed in paper over 100				\$	
(excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	\$ 250.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	29 - 20 =	9	X \$50.00	\$ 450.00	
Independent Claims	1 - 3 =		X \$200.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1350.00	
Applicant claims small entity status. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1350.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$	
TOTAL NATIONAL FEE =				\$ 1350.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be				\$	

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accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property *

IAP6 Rec

1 PCT/PTO
\$1350.00

13 DEC 2005

TOTAL FEES ENCLOSED =

Amount to be \$
refunded

Amount to be \$
charged

U.S. APPLICATION NO. (If known)
New Application

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PCT/EP2004/006330

ATTORNEY DOCKET NO.
1570-563

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2135 in the amount of \$ 1350.00 to cover the above fees.

A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge **any additional fees** which may be required, or credit any overpayment

to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 06449

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